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Attorneys for Jeffrey A. Lester,

Chapter 7 Trustee

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In re:	Case No. 19-13273 (VFP)
IMMUNE PHARMACEUTICALS INC., <i>et al.</i> ,	Chapter 7
Debtors.	Jointly Administered
JEFFREY A. LESTER, CHAPTER 7 TRUSTEE FOR IMMUNE PHARMACEUTICALS, INC., <i>et al.</i> ,	Adv. Pro. No. 19-02033 (VFP)
Plaintiff-Appellant,	Oral Argument Requested
v.	Hearing Date: August 18, 2020 at 10:00 AM
DISCOVER GROWTH FUND, LLC,	
Defendant-Appellee.	

**NOTICE OF MOTION OF JEFFREY A. LESTER, CHAPTER 7 TRUSTEE,  
FOR CERTIFICATION OF DIRECT APPEAL TO THIRD CIRCUIT COURT OF  
APPEALS PURSUANT TO 28 U.S.C. § 158(d)(2) AND BANKRUPTCY RULE 8006**

**PLEASE TAKE NOTICE** that Jeffrey A. Lester, Chapter 7 Trustee (the “Trustee”) for the bankruptcy estates of Immune Pharmaceuticals Inc. and related debtors, and Appellant and Plaintiff in the above-captioned proceeding, shall pursuant to 28 U.S.C. § 158(d)(2) and Bankruptcy Rule 8006 move before this Court on August 18, 2020 at 10:00 AM or as soon

thereafter as counsel may be heard for entry of an order granting certification of the direct appeal of this Court's "Order Denying Trustee's Motion Pursuant to F.R.B.P. 9023 for Reconsideration of Order Denying Partial Summary Judgment Under 11 U.S.C. § 510(b)," entered on July 10, 2020, to the United States Court of Appeals for the Third Circuit.

**PLEASE TAKE FURTHER NOTICE** that the Trustee relies upon the Motion filed herewith pursuant to Bankruptcy Rule 8006(f) and submits that a Certification and a formal Brief are not necessary.

**PLEASE TAKE FURTHER NOTICE** that that any opposition to the Motion must be filed and served within 14 days of this date pursuant to Bankruptcy Rule 8006(f)(3).

**PLEASE TAKE FURTHER NOTICE** that pursuant to Bankruptcy Rule 8006(f)(4), the Motion and any response will be heard without oral argument unless this Court orders otherwise, and that the Trustee respectfully requests oral argument on the Motion.

Dated: July 28, 2020  
Livingston, New Jersey

**RABINOWITZ, LUBETKIN & TULLY, LLC**  
Attorneys for Jeffrey A. Lester, Chapter 7 Trustee

By: /s/ Jonathan I. Rabinowitz  
JONATHAN I. RABINOWITZ